

PROB 12B  
(12/98)

**United States District Court**

**For**

**The Western District of New York**

**Request for Modifying the Conditions or Term of Supervision**

**With Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*



**Name of Offender:** Jeffrey Patton

**Case Number:** 6:16-CR-06051-001

**Name of Sentencing Judicial Officer:** Honorable Frank P. Geraci Jr., Chief U.S. District Judge

**Date of Original Sentence:** March 9, 2017

**Original Offense:** Possession of Heroin with Intent to Distribute

**Original Sentence:** Eighteen (18) months imprisonment followed by three (3) years supervised release. Special conditions include: drug and alcohol testing and treatment, a search condition, and a \$100 special assessment.

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** June 30, 2017

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of three (3) months. This curfew shall be from 8 p.m. to 7 a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. The defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

The defendant shall attend an anger management program. The probation officer will supervise the details of the defendant's participation in the program, including the selection of a provider and schedule.

**CAUSE**

On June 30, 2017, the defendant commenced serving a three year term of supervision. Although he has made strides towards successful reentry by completing a job training program and obtaining several jobs, he was terminated once due to his temper and suspended from another job due to his criminal history. He is currently seeking employment.

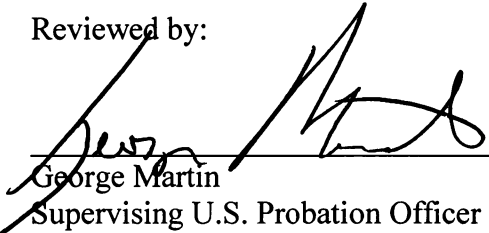
Housing has been a significant issue throughout supervision as Mr. Patton has not maintained a stable residence. I have repeatedly conducted home contacts at the last known address only to discover the defendant no longer lives at that location.

RE: JEFFREY PATTON  
6:16CR06051-001


On July 3, 2018, I called the defendant's girlfriend attempting to locate him as his phone was not working. Mr. Patton contacted me that same day and we met at his cousin's house. He admitted to moving without notification. He was instructed to report to the probation office on July 5, 2018. He reported as instructed, but not until 4:56 p.m. SUSPO George Martin instructed Mr. Patton to return to the probation office on July 6, 2018. The defendant failed to report as directed. I contacted Mr. Patton and instructed him to report on July 9, 2018.

On July 23, 2018, the defendant was reinstructed on his conditions of supervision. He acknowledged he failed to comply with providing his address change per his conditions and failed to report as instructed. To stabilize the case and address accountability issues and his temper, the defendant and I reviewed the attached form PROB 49, Waiver of Hearing to Modify Conditions of Supervised Release. He consented to a three (3) month placement on electronic monitoring with a curfew as a punitive sanction for his conduct and to attend an anger management program as a correctional intervention to address his impulse control issues. Mr. Patton affixed his signature to the attached document consenting to the proposed modification.

Reviewed by:

  
George Martin  
Supervising U.S. Probation Officer

Respectfully submitted,

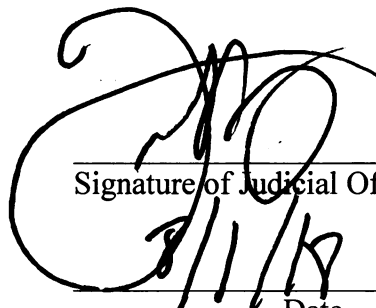
by   
Cathy E. Buckert  
U.S. Probation Officer Specialist  
Date: July 31, 2018

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THE COURT ORDERS:

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
*gh* ☒ The Modification of Conditions as Noted Above  
☐ Other

  
Signature of Judicial Officer  
8/1/18  
Date

PROB 49  
(Revised 11/98)

**United States District Court**  
**Western District of New York**

**Waiver of Hearing to Modify Conditions  
Of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of three (3) months. This curfew shall be from 8 p.m. to 7 a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. The defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

The defendant shall attend an anger management program. The probation officer will supervise the details of the defendant's participation in the program, including the selection of a provider and schedule.

Witness:

Xochitl Morales  
for Cathy E. Buckert  
U.S. Probation Officer Specialist

Signed:

Jeffrey Patton  
Defendant

7.23.18

Date